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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/609,329
	Filing Date	Jun 27, 2003
	First Named Inventor	Batterberry
	Group Art Unit	2857
	Examiner Name	CHARIOUI, MOHAMED
Total Number of Pages in This Submission	Attorney Docket Number	MS1-1479US

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) Sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> PTO-1449; reference copies (39); return receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Allan T. Sponseller, Reg. No. 38,318
Signature	
Date	5/13/04

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: _____		
Typed or printed name	Julianne Gehlen	
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PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 0.00

## Complete if Known

Application Number	10/609,329
Filing Date	Jun 27, 2003
First Named Inventor	Batterberry
Examiner Name	CHARIOUI, MOHAMED
Art Unit	2857
Attorney Docket No.	MS1-1479US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 12-0769  
Deposit Account Name: Lee & Hayes, PLLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ ) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	20** =	X	= 0
Independent Claims	3** =	X	= 0
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 0.00

## SUBMITTED BY

Name (Print/Type)	Allan T. Sponseller	Registration No. (Attorney/Agent)	38,318	Telephone	(509) 324-9256
Signature		Date	5/13/04		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. .... 10/609,329  
Filing Date ..... Jun 27, 2003  
Confirmation No. .... 7914  
Inventorship ..... Batterberry  
Applicant ..... Microsoft Corporation  
Group Art Unit ..... 2857  
Examiner ..... CHARJOU, MOHAMED  
Attorney's Docket No. .... MS1-1479US  
Title: Midstream Determination of Varying Bandwidth Availability

**INFORMATION DISCLOSURE STATEMENT**

*References -- See Attached Form PTO-1449*

**REMARKS**

The citations listed, copies attached, are submitted in compliance with the duty of disclosure defined in 37 CFR §1.56. The Examiner is requested to make these citations of official record in this application.

Respectfully Submitted,

Date: 5/13/04

By: [Signature]  
Allan T. Sponseller  
Reg. No. 38,318



Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/609,329
				Filing Date	Jun 27, 2003
				First Named Inventor	Batterberry
				Group Art Unit	2857
				Examiner Name	CHARIOUI, MOHAMED
Sheet	1	of	4	Attorney Docket Number	MS1-1479US

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		2002/0048448		Daniels	04-25-2002	
		6,327,421		Tiwari et al.	12-04-2001	
		6,014,706		Cannon et al.	01-11-2000	
		6,314,492		Allen et al.	11-06-2001	
		5,787,472		Dan et al.	07-28-1998	
		5,995,705		Lang	11-30-1999	
		5,978,567		Rebane et al.	11-02-1999	
		5,963,202		Polish	10-05-1999	
		5,710,970		Walters et al.	01-20-1998	
		5,440,334		Walters et al.	08-08-1995	
		5,262,875		Mincer et al.	11-16-1993	
		5,164,839		Lang	11-17-1992	
		5,057,932		Lang	10-15-1991	
		4,963,995		Lang	10-16-1990	
		5,568,181		Greenwood et al.	10-22-1996	
		5,996,015		Day et al.	11-30-1999	
		6,111,567		Savchenko et al.	08-29-2000	
		6,343,298		Savchenko et al.	01-29-2002	
		5,835,495		Ferriere	11-10-1998	
		6,292,834		Ravi et al.	09-18-2001	

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/609,329
				Filing Date	Jun 27, 2003
				First Named Inventor	Batterberry
				Group Art Unit	2857
				Examiner Name	CHARIOUI, MOHAMED
Sheet	2	of	4	Attorney Docket Number	MS1-1479US

[illegible][illegible]

Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>	
Sheet <span style="border: 1px solid black; padding: 0 5px;">3</span> of <span style="border: 1px solid black; padding: 0 5px;">4</span>		Application Number	10/609,329
		Filing Date	Jun 27, 2003
		First Named Inventor	Batterberry
		Group Art Unit	2857
		Examiner Name	CHARIOUI, MOHAMED
		Attorney Docket Number	MS1-1479US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		PAKNIKAR, Shantanu, et al. "A Caching and Streaming Framework for Multimedia," ACM Multimedia 2000, Los Angeles, CA; pp. 13-20.	
		GUO, Katherine, et al. "RCache: Design and Analysis of Scalable, Fault Tolerant Multimedia Stream Caching Schemes," Scalability and Traffic Control in IP Networks, Proceedings of SPIE Vol. 4526, (2001); pp. 68-86.	
		ABOUBAKER, N., et al., "Streaming Media Congestion Control Using Bandwidth Estimation," Lecture Notes in Computer Science, 2002, vol. 2496, pp. 89-100.	
		LIEFOOGHE, P., et al., "An Architecture for Seamless Access to Multicast Content," Proceedings of the 26th Annual IEEE Conference on Local Computer Networks, November 8, 2000, pp. 488-494.	
		BRAUN, T., et al., "Multicast for Small Conferences," Proceedings of the Sixth IEEE Symposium on Computers and Communications, July 3, 2001, pp. 145-150.	
		FLEISCHMAN, E., "WAVE and AVI Codec Registries," Network Working Group Request for Comments: 2361, The Internet Society, June 1998, pp. 1-71.	
		CAMARILLO, G., et al., "Grouping of Media Lines in the Session Description Protocol (SDP)," Network Working Group Request for Comments: 3388, The Internet Society, December 2002, pp. 1-21.	
		HANDLEY, M., et al., "SDP: Session Description Protocol," Network Working Group Request for Comments: 2327, The Internet Society, April 1998, pp. 1-42.	
		"Advanced Systems Format (ASF) Specification," Revision 01.20.01e, Microsoft Corp., September 2003, pp. i-vi and 1-93.	
		SCHULZRINNE, H., et al., "RTP: A Transport Protocol for Real-Time Applications," Network Working Group Request for Comments: 3550, July 2003, pp. 1-104.	
		MUUSS, M., "The Story of the PING Program," October 18, 1999, retrieved on 4/6/04 from the Internet Archive at < <a href="http://web.archive.org/web/19991018225218/ftp.arl.mil/~mike/ping.htm">http://web.archive.org/web/19991018225218/ftp.arl.mil/~mike/ping.htm</a> >, 3 pages.	

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<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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		Group Art Unit	2857		
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		Attorney Docket Number	MS1-1479US		
Sheet	4	of	4		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		MUUSS, M., "The Research Interests of Mike Muuss," October 8, 1999, retrieved on 4/6/04 from the Internet Archive at < <a href="http://web.archive.org/web/19991008020453/ftp.arl.mil/~mike/">http://web.archive.org/web/19991008020453/ftp.arl.mil/~mike/</a> >, 2 pages.	
		FIELDING R. et al, "Hypertext Transfer Protocol -- HTTP/1.1," Network Working Group Request for Comments: 2616; The Internet Society (June 1999); Category: Standards Track. pp. 1-176.	
		SCHULZRINNE, H., et al., "Real Time Streaming Protocol (RTSP)," Network Working Group Request for Comments: 2326; The Internet Society (April 1998). pp. 1-92.	
		JIN, S., et al. "Accelerating Internet Streaming Media Delivery using Network-Aware Partial Caching," 2002 IEEE, pp. 153-160.	

Examiner Signature		Date Considered	
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